

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4075 of 2019

Arising Out of PS. Case No.-152 Year-2018 Thana- PIPRAKOTHI District- East Champaran

1. Lal Babu Mahto aged about 32 years, Male
 2. Ram Babu Mahto aged about 33 years, Male
- Both sons of Shrawan Mahto
3. Jamadar Mahto aged about 35 years, Male, son of Late Sahtu Mahto
 4. Shrawan Mahto aged about 52 years, Male, son of Late Khedu Mahto
 5. Raj Kumari Devi aged about 26 years, Female, wife of Lalbabu Mahto
- All resident of village Panditpur, P.S. - Piprakothi, District – East Champaran.
- Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shail Kumari
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-02-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Pipra Kothi P.S. Case No. 152/2018 registered under Sections 341, 323, 307, 379, 354, 406 & 34 of the Indian Penal Code pending in the court of learned C.J.M., Motihari, District – East Champaran.

Considering the circumstances under which it is alleged that petitioner nos. 1 & 2 had given Farsa blow on the vital part of the body of the informant and his mother, this court is not inclined to grant privilege of anticipatory bail to them.

Learned A.P.P. is present and has opposed the prayer for anticipatory bail of the petitioners.

Accordingly, prayer for anticipatory bail of petitioner nos. 1 & 2 namely Lal Babu Mahto and Ram Babu Mahto is, thus, rejected.



Learned counsel for the petitioners submits that so far as petitioner nos. 3, 4 & 5 are concerned, there is no specific allegation of assault against them.

In that view of the matter, in the event of their arrest/surrender before the court below within a period of four weeks, let the above-named petitioner nos. 3, 4 & 5 be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, East Champaran, in connection with Piprakothi P.S. Case No. 152/2018, subject to condition that petitioners shall join investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation, failing which the Investigating Officer shall be at liberty to take steps for cancellation of bail. This will be in addition to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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